

U.S. Serial No. 09/745,339

Remarks

Applicants respond hereby to the office action mailed July 12, 2005, by canceling claims 1-3 and 12-14 without prejudice or disclaimer of subject matter, amending claim 4-11 and 15-19. The amendments to claims 4-11 and 15-19 include changes, which reflect the objections as set forth in the first paragraph of the outstanding OA. Reconsideration of the art rejections against claims 4-11 and 15-19 is respectfully requested.

Rejections Under 35 USC §102

Claims 1-4, 8, 9, 12-14, 16 and 17 have been rejected under 35 USC § 102(b) as anticipated by US Patent No. 5929849 to Kikinis.

Applicants have amended claim 4 to independent form, which now includes the limitations of claims 1 and 2, and have cancelled claims 1-3; and have amended claim 15 to independent form, which now includes the limitations of claims 12 and 13.

Independent claim 4 now recites a method of accessing a multimedia advertisement linked with a video object in a video stream, the method comprising:

linking a multimedia advertisement to a video object in a video stream such that the multimedia advertisement is not displayed as part of the video stream without being accessed by a viewer of the video stream;

displaying the video object on a display;

accessing, upon viewer request, the multimedia advertisement linked to the object while the object is displayed, thereby causing the multimedia advertisement to be displayed in a multimedia format on the display;

delineating the video object before linking the advertisement to the video object such that the video object is selectable independently of any other video objects in the video stream, wherein the multimedia advertisement comprises data and the method further comprises extracting at least a portion of the data in the displayed multimedia advertisement after the multimedia advertisement is accessed, and placing the extracted data in a data file separate from the video stream.

Independent claim 15 now recites a system for accessing a multimedia advertisement linked to a video stream comprising:

a video stream comprising a video object to be displayed;

U.S. Serial No. 09/745,339

a multimedia advertisement linked to the video object, the multimedia advertisement being displayed only upon viewer request;

a display for displaying the video stream;

means for accessing the multimedia advertisement while the object is displayed during the displaying of the video stream to cause the multimedia advertisement to be displayed in a multimedia format; wherein the multimedia advertisement comprises data, and the system further comprises means for extracting at least a portion of the data after the multimedia advertisement is accessed, and a data file separate from the video stream comprising the extracted data, further comprising: a second object, a second advertisement linked to the second object, and a summary of at least the first and second advertisements.

The Examiner states, with respect to claim 4, that the web site inherently have web links or data and when the viewer accesses the web links, the web links or data are extracted and inherently placed in a buffer or data file that is separate from the video stream, by the system in order to access other web pages of the site using the browser.

Applicants respectfully disagree.

Applicants' independent claims as amended require means for extracting at least a portion of the data after the multimedia advertisement is accessed, and a data file separate from the video stream comprising the extracted data, further comprising: a second object, a second advertisement linked to the second object, and a summary of at least the first and second advertisements.

Neither Fig. 2C nor the text at col. 7, line 57 through col. 8, line 15, teach or suggest means for extracting at least a portion of the data after the multimedia advertisement is accessed, and a data file separate from the video stream comprising the extracted data, further comprising: a second object, a second advertisement linked to the second object, and a summary of at least the first and second advertisements.

The text at col. 7, line 57 through col. 8, line 15, states that after a Kikinis user activates the Kikinis system, and a connection is made to the BMW web server, the TV display may be suspended and the WEB page displayed, or the TV continues with the WEB page displayed in a window, and additional information may be activated, as if the user were actually at the web site. But again, nowhere does Kikinis indicate the limitation

U.S. Serial No. 09/745,339

in each of applicants' claims of means for extracting at least a portion of the data after the multimedia advertisement is accessed, and a data file separate from the video stream comprising the extracted data, further comprising: a second object, a second advertisement linked to the second object, and a summary of at least the first and second advertisements.

Accordingly, applicants respectfully assert that independent claims 4 and 15 are not anticipated by Kikinis under 102(b), and request withdrawal of the rejection of independent claims 4 (and 15). For that matter, because claims 8 and 9 now depend from independent claim 4, and claims 16 and 17 depend from independent claim 15, those claims are patentable in view of Kikinis under 102(b) for at least the reasons set forth for the patentability of claim 4 (and 15) under 102(b) in view of Kikinis. Hence, applicants respectfully request withdrawal of the rejection of claims 4, 8, 9, 15, 16 and 17 under 35 USC 102 (b) in view of Kikinis

Rejections Under 35 USC § 103

Claims 5-7, 15 and 19 are rejected under 35 USC 103(a) as being unpatentable over Kikinis in view of pending US Patent No. 6282713 to Kitsukawa.

Claims 5-7 now depend from amended independent claim 4, and claim 19 depends from amended independent claim 15.

Applicants submits that independent claims 4 and 15 are distinguishable from Kikinis, as set forth above in the arguments for the patentability of claims 4 and 15 in view of Kikinis under 102 (b). Therefore, and regardless of any proposed combination including Kikinis, whether proper or not proper under the law, claims 5-7, 15 and 19 are not obvious under 103(a) in view of the proposed combination of Kikinis and Kitsukawa, for at least the reasons mentioned and request withdrawal of the rejection of claims 5-7, 15 and 19.

Claims 10 and 18 were rejected under 35 USC 103(a) over Kikinis in view of US Patent No. 5977964 to Williams, and Kitsukawa.

Claim 10 now depends from amended independent claim 4, and claim 18 depends from amended independent claim 15.

Applicants submit that independent claims 4 and 15 are distinguishable from Kikinis as set forth above in the arguments for the patentability of claims 4 and 15 in view of

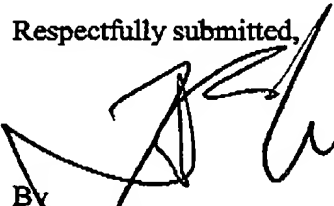
U.S. Serial No. 09/745,339

Kikinis under 102 (b). Therefore, and regardless of any proposed art combination including Kikinis, whether proper or not proper under the law, claims 10 and 18 are not obvious under 103(a) in view of the proposed combination of Kikinis, Williams and Kitsukawa, and for at least the reasons mentioned, request withdrawal of the rejection of claims 10 and 18.

Claim 11 has been rejected under 35 USC 103(a) as unpatentable over the combination of Kikinis and US Patent application number US20020099812. Because claim 11 has been cancelled, applicants believe the rejection of claim 11 is obviated.

Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims, particularly in view of the cited references.

Respectfully submitted,



By
John F. Vodopia (36,299)
Attorney for Applicants
(914) 333-9627